

2807.7001

### **Subpart 2807.70—End-of-Year Procurements**

#### **2807.7001 Lead times and cut-off dates.**

(a) DOJ procurement activities shall establish lead times and cut-off dates for acceptance and processing of procurement requests that require use of expiring current year funds. Procedures implemented by the procurement activities shall include:

(1) Lead times required to process procurement requests according to the method of contracting (sealed bid or competitive proposals, etc.) and type of action (new award, modification, or option). Procurement activities may further refine the lead times in accordance with their experience and types of requirements;

(2) Firm cut-off dates beyond which a procurement request will not be accepted if the requirement is to use expiring current year funds. Cut-off dates will be issued consistent with the lead times established in paragraph (a)(1) of this section; and

(3) A statement that failure to submit a requisition prior to the cut-off date applicable to processing a fully competitive procurement does not, in itself, establish justification for contracting by other than full and open competition.

(b) Fourth quarter procurements.

(1) Instructions provided to Federal agencies by the Office of Management and Budget state that fourth quarter obligations should not exceed the average obligations for the first three quarters, except where seasonal requirements, essential program objectives, or lead times justify a higher level. Excessive and wasteful year-end spending can be prevented by firmly enforcing the procurement cut-off dates, the Department's Advance Procurement Planning Program Order, reviewing questioned procurements with procurement supervisors and appropriate program personnel and giving particular attention to fourth quarter procurement requests in areas that are particularly vulnerable to wasteful spending. In addition, chiefs of the contracting offices shall ensure that their staffs are aware of OFPP Policy Letter 81-1 and the OFPP checklist for use in de-

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tecting and preventing wasteful year-end spending.

[52 FR 4320, Feb. 11, 1987, as amended at 58 FR 68779, Dec. 29, 1993]

### **PART 2808—REQUIRED SOURCES OF SUPPLIES AND SERVICES**

#### **Subpart 2808.4—Ordering From Federal Supply Schedules (FSS)**

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#### **Subpart 2808.8—Acquisition of Printing and Related Supplies**

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#### **Subpart 2808.11—Leasing of Motor Vehicles**

2808.1102-70 Procedure.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

SOURCE: 50 FR 4456, Jan. 30, 1985, unless otherwise noted.

#### **Subpart 2808.4—Ordering From Federal Supply Schedules (FSS)**

##### **2808.400-70 Renewals of purchase orders issued under Federal Supply Schedules.**

(a) To expedite renewals of purchase orders issued against FSS contracts OBD's and the EOUSA are encouraged to submit annually only one requisition which would cover all renewals for a given vendor's GSA schedule contract.

(b) In preparing renewals, consolidate items of identical make and model number, indicate aggregate quantity, and segregate as to lease renewals and maintenance renewals for DOJ equipment. Systems are not to be aggregated, but should be listed as a separate line item on the requisition and shall not be split.

##### **2808.401-70 Use of General Services Administration (GSA) Self-Service Stores.**

Policy and procedures for the use of the GSA self-service stores are contained in departmental orders.

## Subpart 2808.8—Acquisition of Printing and Related Supplies

### 2808.802-70 Procedure.

Contracting officers shall obtain written approval from the Director, General Services Staff, JMD (the central printing authority designated to serve as liaison between the Department and the Joint Committee on Printing) before acquiring any of the items defined in FAR 8.801.

[50 FR 4456, Jan. 30, 1985, as amended at 50 FR 29801, July 22, 1985]

## Subpart 2808.11—Leasing of Motor Vehicles

### 2808.1102-70 Procedure.

Prior to preparing solicitations for the leasing of motor vehicles, contracting officers shall ensure that the requisition for such lease has been reviewed and approved by the General Services Staff, Justice Management Division.

[50 FR 4456, Jan 30, 1985, as amended at 52 FR 34390, Sept. 11, 1987]

## PART 2809—CONTRACTOR QUALIFICATIONS

### Subpart 2809.4—Debarment, Suspension, and Ineligibility

Sec.

2809.401 Applicability.

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2809.405 Effects of listing.

2809.405-1 Continuation of current contracts.

2809.470 Responsibilities.

### Subpart 2809.5—Organizational Conflicts of Interest

2809.503 Waiver.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

SOURCE: 50 FR 4456, Jan. 30, 1985, unless otherwise noted.

### Subpart 2809.4—Debarment, Suspension, and Ineligibility

#### 2809.401 Applicability.

This subpart is applicable to all contracting activities in the offices,

boards, divisions, and bureaus (OBDBs) of DOJ and for contracts involving personal property and non-personal services including construction and leases of real property. This subpart does not apply to grants or other forms of Federal assistance.

#### 2809.402 Policy.

Debarment and suspension actions are a means to ensure that agencies contract only with responsible business concerns and individuals. Contracting activities shall:

(a) Consider debarment or suspension of a contractor when cause is shown as listed under FAR 9.406-2 (debarment) and FAR 9.407-2 (suspension).

(b) Consult the GSA Consolidated List of Debarred, Suspended, or Ineligible Contractors prior to soliciting offers from, awarding contracts to, renewing or extending contracts, or consenting to subcontracts with contractors on the GSA Consolidated List. Exceptions will be granted only for compelling reasons and in accordance with FAR 9.405(a).

#### 2809.405 Effects of listing.

#### 2809.405-1 Continuation of current contracts.

In accordance with FAR 9.405-1, contracting activities may continue contracts or subcontracts in existence at the time a contractor is suspended or debarred unless it is determined that termination of the contract is in the best interest of the Government. In making this determination contracting activities shall consider the seriousness of the act or omission leading to the debarment or suspension, the effect of debarment or suspension on the contractor's ability to continue operations, and the Department's ability to safeguard its interests and receive satisfactory performance and for compelling reasons and in accordance with FAR 9.405(a).

#### 2809.470 Responsibilities.

(a) Contracting activities in the OBDBs shall:

(1) Be familiar with the policies and procedures concerning debarment, suspension, and ineligibility as set forth in FAR subpart 9.4 and this subpart.